

**CITY OF MADERA PLANNING COMMISSION  
REGULAR MEETING  
April 13, 2021**

**CALL TO ORDER:** The meeting was called to order by Vice Chairperson Gran at 6:00 p.m.

**ROLL CALL**

**PRESENT:** Commissioner Robert Gran Jr. (Vice Chairperson)  
Commissioner Alex Salazar  
Commissioner Richard Broadhead  
Commissioner Ryan Cerioni  
Commissioner Ramon Lopez  
Commissioner Rohi Zacharia  
Commissioner Bobby Sheikh

**ABSENT:** None

**STAFF:** Gary Conte, Planning Manager  
Keith Helmuth, City Engineer  
Tiffany Ljuba, Assistant City Engineer  
Randy Bell, Deputy City Engineer  
Brandi Garcia, Recording Secretary  
Derek Sylvester, Associate Planner  
Olga Garcia, Community Services Coordinator/Planning Assistant

**PLEDGE:** None

**PUBLIC COMMENT:**

There was an attendee with their hand raised but they were present to speak on the Linden project. Kurt Kurti was also present with his hand raised but was in attendance for the Vallarta item.

**MINUTES:** None

**CONSENT ITEMS:** None

**PUBLIC HEARING ITEMS:**

**1. SPR 2017-13 MOD & CUP 2017-11 MOD – The Tap House Outdoor Dining (Adam Klier)**

A continued noticed public hearing to consider an application requesting to modify an existing conditional use permit and site plan review to allow for the expansion of outdoor dining space serving alcohol and the construction of a permanent structural overhead cover for entire outdoor dining area at an existing restaurant in a C2 (Heavy Commercial) Zone. The site is located in an existing tenant suite within the Home Depot Shopping Center on the corner of North Schnoor Ave. and Kennedy St. (APN: 013-070-026)

The proposed improvement has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15303 (New Construction or

Conversion of Small Structures), Section 15301 (New Construction or Conversion of Small Structures) and Section 15332 (In Fill Development).

Adam Klier, Assistant Planner presented the item.

Commissioner Gran confirmed that PD was notified as they have been in the past.

Mr. Klier said the police were notified and had no response.

With no further questions from staff, the public hearing was opened, and the applicant was invited to speak.

Traci Franklin, owner of the Tap House spoke.

Commissioner Gran confirmed she is in agreement with all conditions including the modification to midnight.

Commissioner Sheikh said he was just trying to understand the rationale to expanding into the parking lot.

Mr. Klier said they will actually be expanding into the current landscape area and not the parking lot.

Commissioner Gran said the parking lot will not be altered at all, it's the concrete area and the triangle area.

Commissioner Broadhead asked if there was going to be a roof on the patio.

Mr. Klier said there will be two columns to support the overhead structure but other than that it will not be enclosed.

Commissioner Gran said this is not unusual. It's happening due to the pandemic, but other restaurants are expanding into the parking lots.

Commissioner Gran thanked Traci and asked if anyone else would like to speak on the item.

Mr. and Mrs. Sandhu, the property owners spoke up and wanted to let everyone know they were there in case anyone had questions for them.

With no further questions, the item was returned to the Commission for further processing.

Commissioner Broadhead moved to approve motion 1 as stated with the 12:00 midnight change. Seconded by Commissioner Cerioni, the motion carried unanimously.

Commissioner Richard Broadhead - yes  
Commissioner Ryan Cerioni - yes  
Commissioner Ramon Lopez - yes  
Commissioner Rohi Zacharia - yes  
Commissioner Bobby Sheikh - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. - yes

**2. TSM 2018-07 EXT – Ellis & D St. Subdivision Extension (Derek Sylvester)**

A continued noticed public hearing to consider an application requesting a two-year extension of a previously approved Tentative Subdivision Map (TSM 2018-07). The map was first approved by the Commission on February 12, 2019. The parcels are located at the southwest corner of the intersection of North D St. and Ellis St. in the PD-6000 (Planned Development) Zone District with an LD (Low Density) General Plan land use designation (APN's: 003-200-006 & 007).

Negative Declaration was adopted for the approved Tentative Subdivision Map on February 12<sup>th</sup>, 2019. No further environmental review is required for the proposed extension.

Associate Planner Derek Sylvester presented the item.

Commissioner Gran asked if the applicant was present.

Mr. Sylvester confirmed the applicant was in attendance.

With no questions of Mr. Sylvester, the public hearing was opened, and the applicant was invited to speak.

Rick Langdon, representative for the owners spoke, he apologized for not attending the last meeting. He stated they are in agreement with all the conditions and terms of the extension.

Commissioner Gran confirmed that includes the water basin and the parkland items.

Mr. Langdon said yes.

With no one else to speak on the item, the public hearing was closed, and the item was returned to the Commission for further processing.

Commissioner Sheikh moved to approve motion 1. The motion was seconded by Commissioner Lopez.

Mrs. Garcia polled the Commissioners:

Commissioner Richard Broadhead - yes  
Commissioner Ryan Cerioni - yes  
Commissioner Ramon Lopez - yes  
Commissioner Rohi Zacharia - yes  
Commissioner Bobby Sheikh - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. - yes

**3. TSM 2018-06 EXT – Linden Street Residential Complex Extension (Derek Sylvester)**

A noticed public hearing to consider a request for a two-year time extension of the previously approved Tentative Subdivision Map (TSM 2018-06) which allows for the creation of eight lots. The site is located approximately 600 feet north of the intersection of Sunset Ave. and Linden St. in the PD-2000 Zone District with an HD (High Density) General Plan land use designation. (APN: 003-360-042)

A Negative Declaration was previously adopted for the project as part of the original approval by the Planning Commission on September 12, 2017. No additional environmental analysis is required.

Derek Sylvester, Associate Planner presented the item.

There were no questions for Mr. Sylvester, so the public hearing was opened, and the applicant was invited to speak.

Tom Jarell spoke.

Commissioner Gran asked Mr. Jarell if he was in agreement with all conditions.

Mr. Jarell said he was unaware of the adding of area for a park. He said the tot lot was already added in the development. He was unaware of that or paying another fee.

Commissioner Gran said that now you have asked for an extension you have to come up to the current code. He believes the tot lot would qualify for part of it, but staff would need to clarify.

Mr. Jarell said he is asking for an extension because of the City. He has been trying to get this recorded and had multiple obstacles. He doesn't think he should have to pay any other fees. He asked Derek if he had any idea of how much the fee would be.

Mr. Sylvester said he didn't know off hand but there is a formula that is used. The dedication needs to happen or there are fees that could be calculated and put into a fund that the City would use for park space.

Mr. Jarell said the City has hit him with \$400,000 in fees already and it's not his fault it's not recorded yet.

Commissioner Gran asked Mr. Conte to help him out.

Mr. Conte said that the Quimby Act requirement was adopted by City Council subsequent to the approval of this map. The requirement based on the size of this project would not be required to dedicate the park but to pay into it. It's not something we can override, it's a requirement.

Mr. Jarell asked Mr. Conte to give him a ballpark figure so he knows what he's looking at.

Mr. Conte said he could not. It's based on a ratio per populous of the units and divided by 1000, etc.

Commissioner Gran asked if the tot lot would partially count towards it for credit.

Mr. Conte said if it's a private park, it would not receive the credit.

Commissioner Gran said it would just be for that development.

Mr. Conte said yes, so he would be required to pay into it for the City to acquire parkland.

Commissioner Gan said he tried.

Mr. Jarell said his back is against the wall. The property is in escrow. He saw this last minute and just really saw it today. Is it going to be ten thousand, one hundred thousand or what?

Mr. Conte said it will not be one hundred thousand dollars, it's not a very large project.

Mr. Jarell said lets just go with it, he doesn't really have a choice.

Commissioner Gran said as Commissioners they cannot take it out. He wanted to note Mr. Jarell has stated he is in agreement and asked Mr. Conte to get a figure to Mr. Jarell the following day.

Seeing no other attendees to speak on the item, it was returned to the Commission for further processing.

Commissioner Broadhead moved to approve Motion 1 as stated. The motion was seconded by Commissioner....

Commissioner Richard Broadhead - yes  
Commissioner Ryan Cerioni - yes  
Commissioner Ramon Lopez - yes  
Commissioner Rohi Zacharia - yes  
Commissioner Bobby Sheikh - yes  
Vice Chairperson Alex Salazar - yes  
Chairperson Robert Gran Jr. - yes

**4. VAR 2021-01 – Vallarta Monument Sign (Olga Garcia)**

A noticed public hearing to consider a request for a variance to allow for a twenty foot (20') tall monument sign that will represent the anchor tenant, Vallarta Supermarket, and a secondary tenant (or tenants) on existing or future pads. The property is located on the northwest corner of Country Club Dr. and West Clark St. in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 003-210-018).

This project is determined to be categorically exempt per CEQA Guidelines, Section 15311(a) Accessory Structures (on premise signs).

Olga Garcia, Planning Assistant presented this item.

Commissioner Gran wanted the record to reflect that he did have a brief conversation with Bobby Khan regarding this project.

With no question for Mrs. Garcia, the public hearing was opened, and the applicant was invited to speak.

Kurt Kurti spoke. He is one of the partners of the property. He thanked staff for their help on this.

Commissioner Gran confirmed he is in agreement with all conditions including the revised #6.

Mr. Kurti confirmed he is in agreement.

Commissioner Gran thanked Mr. Kurti and asked if there was anyone else that would like to speak on the item.

Bobby Khan of the Madera County Economic Development Commission spoke and gave his support for the item.

Commissioner Gran thanked Mr. Khan and asked if there was anyone else that would like to speak. Seeing none, the item was returned to the Commission for further processing.

Commissioner Sheikh moved to approve Motion 1. Commissioner Lopez seconded the Motion.

Mrs. Garcia polled the Commissioners.

Commissioner Richard Broadhead - yes

Commissioner Ryan Cerioni - yes

Commissioner Ramon Lopez - yes

Commissioner Rohi Zacharia - yes

Commissioner Bobby Sheikh - yes

Vice Chairperson Alex Salazar - yes

Chairperson Robert Gran Jr. – yes

**NON-PUBLIC HEARING ITEMS:** None

**ADMINISTRATIVE REPORTS:** None

**COMMISSIONER REPORTS:**

Commissioner Lopez said many of the developers would like to know what the parkland fees are so he would like to have an idea of what those fees are more or less.

Mr. Conte said we are kind of reluctant to identify the actual cost. The tentative map may end up with a plus or minus in the number of units presented. The fees also may increase if someone doesn't build the project for a year or two and there may be an increase in cost.

Mr. Helmuth said its common that the developer checks with Planning for fees prior to the Planning Commission hearing.

**ADJOURNMENT:** 7:07 pm

*Robert V. [unclear]*

Planning Commission Chairperson

*Brandi Garcia*

Brandi Garcia, Recording Secretary